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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

TYLER G. MILLER,

Plaintiff(s),

v.

STATE OF WASHINGTON,

Defendant(s).

CASE NO.: 3:19-cv-05308-RJB

CIVIL COMPLAINT - AMENDED

Jury Trial: ☐ Yes ☒ No

I. THE PARTIES TO THIS COMPLAINT

A. Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Tyler G. Miller
Street Address	6000 W Sherman Heights Rd
City and County	Bremerton – Kitsap
State and Zip Code	Washington 98312
Telephone Number	(360) 535-9643

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B. Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	Robert Ferguson <u>State of Washington</u>
Job or Title (if known)	Attorney General, Washington State <u>Robert Ferguson</u>
Street Address	1125 Washington Street SE, PO Box 40100
City and County	Olympia – Thurston
State and Zip Code	Washington 98504-0100
Telephone Number	(360) 753-6200

II. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (*check all that apply*)

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

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1 A. If the Basis for Jurisdiction Is a Federal Question

2 List the specific federal statutes, federal treaties, and/or provisions of the United States
3 Constitution that are at issue in this case.

4 Article 1, § 10, cl. 3; Article 2, § 1, cl. 2; Article 4, § 2, cl. 1; Amendment 14 § 1 and 2;
5 28 U.S.C. 1331, 1343, and 1357; 42 U.S.C 1983, 1985, and 1988.

6 7 **III. STATEMENT OF CLAIM**

8 *Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as*
9 *possible the facts showing that each plaintiff is entitled to the damages or other relief sought.*
10 *State how each defendant was involved and what each defendant did that caused the plaintiff*
11 *harm or violated the plaintiff's rights, including the dates and places of that involvement or*
12 *conduct. If more than one claim is asserted, number each claim and write a short and plain*
13 *statement of each claim in a separate paragraph. Attach additional pages if needed.*

14 RCW 29A.56.300 violates Article 1, § 10, cl. 3 of the Constitution by entering
15 Washington into a compact agreement with other states that increases the political power of the
16 member-states over non-member states, encroaching upon the supremacy of the Federal
17 Government. It proscribes a method of Elector selection which violates the rights of citizens in
18 both member and non-member states protected under Article 4, § 2, cl. 1 and Amendment 14 § 1
19 and 2. It specifically causes harm to Mr. Miller by : 1) It requires that Mr. Miller have an elective
20 franchise role in the selection of State Electors via a state-wide popular vote and then directs that
21 the State disregard the results of that election, and Mr. Miller's vote, when actually appointing
22 the Electors. 2) It grants the citizens of other States the right of suffrage in Washington State
23 while granting no reciprocal suffrage to Mr. Miller or other Washington citizens. 3) It requires
24 that the State give privilege to the votes of non-citizens over that of Mr. Miller and other
Washington citizens in the appointment of the State's Presidential Electors. 4) It dilutes Mr.
Miller's suffrage by expanding the body politic of the electorate beyond Washington State lines
of sovereignty and jurisdiction, creating a Federal Voting Class that encroaches upon Federal

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1 authority. 5) It allows the laws of other States concerning, *inter alia*, elector qualifications to
2 alter and control the laws of Washington State against the will and without the consent of the
3 citizens of Washington State.

4 IV. RELIEF

5 *State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do*
6 *not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing*
7 *at the present time. Include the amounts of any actual damages claimed for the acts alleged and*
8 *the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts,*
9 *and the reasons you claim you are entitled to actual or punitive money damages.*

10 ~~Requested~~ It is requested that the Court issue declaratory judgment that RCW
11 29A.56.300 is unconstitutional and that it be struck from the Revised Code of Washington to
12 prevent the inevitable and unavoidable injury to Mr. Miller's Constitutionally protected rights
13 under Article 4, § 2 and Amendment 14 § 1 and 2.

14 V. CERTIFICATION AND CLOSING

15 Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my
16 knowledge, information, and belief that this complaint: (1) is not being presented for an improper
17 purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;
18 (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or
19 reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so
20 identified, will likely have evidentiary support after a reasonable opportunity for further
21 investigation or discovery; and (4) the complaint otherwise complies with the requirements of
22 Rule 11.

23 I agree to provide the Clerk's Office with any changes to my address where case-related
24 papers may be served. I understand that my failure to keep a current address on file with the
Clerk's Office may result in the dismissal of my case.

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Date of signing: 23 May 2019

Signature of Plaintiff s/Tyler G. Miller

Printed Name of Plaintiff Tyler G. Miller